

JC04 Rec'd PCT/PTO 12 OCT 2005

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PTO/SB/17 (12-04v2)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL For FY 2005		Complete if Known	
		Application Number	10/517,869-Conf. #3025
		Filing Date	December 16, 2004
		First Named Inventor	Anders LEHMANN
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	5999-0517PUS1
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$) 450.00		

METHOD OF PAYMENT (check all that apply)

<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____
<input type="checkbox"/> Deposit Account Deposit Account Number: <u>02-2448</u> Deposit Account Name: <u>Birch, Stewart, Kolasch & Birch, LLP</u>				
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ - 20 = _____	x _____	= _____	

<u>Multiple Dependent Claims</u>	
<u>Fee (\$)</u> <u>Fee Paid (\$)</u>	
_____	_____

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ - 3 = _____	x _____	= _____	

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ - 100 = _____	/50	_____ (round up to a whole number) x	_____	= _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1252 Extension for response within second month 450.00

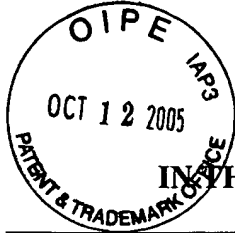
SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	36,623
Name (Print/Type)	Mark J. Nuell, Ph.D.	Telephone	(703) 205-8043
		Date	October 12, 2005

10/18/2005 ATRAN1 00000139 10517869

01 FC:1252

450.00 0P

#10
Rec'd PCT/PTO 12 OCT 2005



Docket No.: 5999-0517PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Anders LEHMANN et al.

Application No.: 10/517,869

Confirmation No.: 3025

Filed: December 16, 2004

Art Unit: N/A

For: USE OF MGLUR5 ANTAGONISTS FOR THE
TREATMENT OF GERD

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application dated June 13, 2005,
Applicant respectfully submits:

- ☒ Attached is a copy of the Notice to File Missing Parts of Non-provisional Application.
- ☒ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) (☒ original ☐ photocopy), necessary for completing the filing requirements in connection with the above-identified application.
- ☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and

Application No.: 10/517,869

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Trademark office on United States of America, including any amendments thereto (if applicable) filed on even date therewith.

- ☒ **The undersigned hereby declares that the attached inventors' Declaration, corresponds to Appl. No. 10/517,869, filed December 16, 2004, entitled "USE OF MGLUR5 ANTAGONISTS FOR THE TREATMENT OF GERD."**
- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.
- ☐ See the attached Translator's Verification; or
- ☐ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- ☐ Attached are sheet (s) of drawings. Please substitute these replacement drawings for the corresponding sheet(s) of drawings on file in the above-identified application.
- ☐ Attached is a Preliminary Amendment.
- ☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- ☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).
- ☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☐ Attached is a Claim for Priority document.

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- ☐ Attached is a Supplemental Application Data Sheet (ADS).
- ☒ Attached is a Letter regarding Requirement for Sequence Listing.
- ☒ Submitted concurrently herewith under separate cover for recording is an Assignment.
- ☒ Attached is a Revocation of Power of Attorney.
- ☒ Attached is a Petition for Extension of Time.
- ☒ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: October 12, 2005

Respectfully submitted,

By ms/Well
 Mark J. Nuell, Ph.D.
 Registration No.: 36,623
 BIRCH, STEWART, KOLASCH & BIRCH, LLP
 8110 Gatehouse Rd
 Suite 100 East
 P.O. Box 747
 Falls Church, Virginia 22040-0747
 (703) 205-8000
 Attorney for Applicant

Attachment(s)

Docket No.: 5999-0517PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Anders LEHMANN et al.

Application No.: 10/517,869

Confirmation No.: 3025

Filed: December 16, 2004

Art Unit: N/A

For: USE OF MGLUR5 ANTAGONISTS FOR THE
TREATMENT OF GERD

Examiner: Not Yet Assigned

LETTER REGARDING REQUIREMENT FOR SEQUENCE LISTING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The attached Notice to File Missing Requirements indicates that a Sequence Listing in the Computer readable form and an associated statement must be filed. However, there does not appear to be any nucleotide or amino acid sequence disclosed in the specification. It appears the requirement may stem from misunderstanding of the abbreviations "GED" and "TLESR" as sequences of amino acids.

Applicants submit that no Sequence Listing is required.

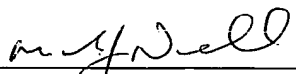
Application No.: 10/517,869

Docket No.: 5999-0517PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: October 12, 2005

Respectfully submitted,

By 
Mark J. Nuell, Ph.D.
Registration No.: 36,623
BIRCH, STEWART, KOLASCH & BIRCH, LLP
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(703) 205-8000
Attorney for Applicant

Attachment(s)

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12 OCT 2005

5999-517P



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/517,869	Anders Lehmann	085747-0348

INTERNATIONAL APPLICATION NO.
PCT/US03/16223

I.A. FILING DATE	PRIORITY DATE
06/19/2003	06/20/2002

22428
FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

CONFIRMATION NO. 3025
371 FORMALITIES LETTER
OC000000016253879
OC000000016253879

mm

Date Mailed: 06/13/2005

Perfect
Sequence listing
8-13-05

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/16/2004
- Copy of the International Search Report filed on 12/16/2004
- Copy of IPE Report filed on 12/16/2004
- Preliminary Amendments filed on 12/16/2004
- Information Disclosure Statements filed on 12/16/2004
- Biochemical Sequence Listing filed on 12/16/2004
- U.S. Basic National Fees filed on 12/16/2004
- Priority Documents filed on 12/16/2004
- Specification filed on 12/16/2004
- Claims filed on 12/16/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice

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published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/517,869	PCT/US03/16223	085747-0348